

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ROBERT BELL,)
)
)
Plaintiff,)
)
)
v.) No. 1:06CV144 LMB
)
)
TROY STEELE, et al.,)
)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court upon Robert Bell's motion to proceed in forma pauperis on appeal [Doc. #13]. The motion will be denied.

Title 28 U.S.C. § 1915(g) provides that a prisoner may not bring an appeal in forma pauperis if "on 3 or more [earlier] occasions, . . . [the prisoner has] brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

A review of this Court's files indicates that this Court has previously dismissed at least three of plaintiff's cases as frivolous. See Bell v. Rigel, Cause No. 4:04-CV-706 HEA (E.D. Mo.); Bell v. Steele, Cause No. 1:07-CV-0025 LMB (E.D. Mo.); and Bel v. Steele, Cause No. 1:06-CV-144 LMB (E.D. Mo.). Furthermore, a review of the complaint indicates that plaintiff is not under "imminent danger of serious

physical injury.” Because plaintiff has had three previous cases dismissed as frivolous, he must pay the full \$455 filing fee for an appeal. See In re Tyler, 110 F.3d 528 (8th Cir. 1997). Therefore, the Court will deny plaintiff’s motion to proceed in forma pauperis on appeal.

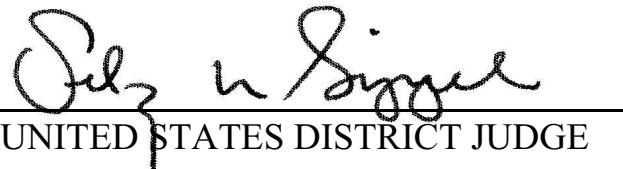
Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for leave to proceed in forma pauperis on appeal [Doc. #13] is **DENIED**.

IT IS FURTHER ORDERED that within thirty (30) days from the date of this order, plaintiff shall pay to this Court the full \$455 filing and docketing fees for filing an appeal. Plaintiff is instructed to make his remittance payable to “Clerk, United States District Court,” and to include upon it: (1) his name; (2) his prison identification number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.

IT IS FINALLY ORDERED that plaintiff shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 12th day of June, 2007.



UNITED STATES DISTRICT JUDGE